

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ALFRED KWESI ADDISON, :  
Plaintiff :  
 :  
vs. : CIVIL NO. 1:CV-05-2678  
 :  
UNITED STATES DEPT. OF JUSTICE, :  
et al., :  
Defendants :

O R D E R

AND NOW, this 8th day of February, 2006, upon consideration of the report (doc. 7) of the magistrate judge, filed January 9, 2006, to which no objections were filed, and upon independent review of the record, it is ordered that:

1. The magistrate judge's report is adopted.

2. Plaintiff's *Bivens* and FTCA actions are dismissed without prejudice. Plaintiff's challenge to his removal is dismissed without prejudice to his filing a petition in the appropriate court of appeals.

3. Plaintiff's claim of unlawful continued-detention shall proceed against the Defendants as a petition for habeas corpus under 18 U.S.C. § 2241.

4. The Clerk of Courts shall serve a copy of the petition (doc. 1) on the United States Attorney.

5. Within ten days of the date of this order, the government shall file a brief in

opposition to Plaintiff's continued-detention claim.

6. Plaintiff shall have ten days after receipt of the government's brief to file a reply brief.

/s/William W. Caldwell  
William W. Caldwell  
United States District Judge